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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,802	07/12/2001	Ohad Zimron	15154 - XX	7466
7590	12/31/2003		EXAMINER WAKS, JOSEPH	
Gary M. Nath NATH & ASSOCIATES 6th Floor 1030 15th Street, N.W. Washington, DC 20005			ART UNIT 2834	PAPER NUMBER
DATE MAILED: 12/31/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/902,802	ZIMRON ET AL.	
	<b>Examiner</b>	Art Unit	
	Joseph Waks	2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## 8. Status

1)  Responsive to communication(s) filed on 28 July 2003.

2a)  This action is **FINAL**.      2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1,2,4-6 and 8 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1,2,4-6 and 8 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

13)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a)  The translation of the foreign language provisional application has been received.

14)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO 1449) Paper No(s). \_\_\_\_\_  
4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1, 2, 4-6 and 8** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Bronicki (US 5,437,157)** in view of **The Dow Chemical Company, 1983 article “Achieving Low Pressure Cogeneration with DOWTHERM Heat Transfer Fluids”**.

**Bronicki** discloses in Figure 3 a method for producing power from a heat source including the steps of heating a heat transfer fluid with heat from the heat source and producing a vaporized heat transfer fluid in an intermediate fluid heater/vaporizer 41, supplying the vaporized heat transfer fluid to an organic fluid vaporizer 43 for supplying heat to organic liquid working fluid present in the organic fluid vaporizer, vaporizing the organic liquid working fluid with heat from the vaporized heat transfer fluid in the organic fluid vaporizer to form a vaporized organic working fluid and a heat transfer fluid condensate in the organic fluid vaporizer, expanding the vaporized organic working fluid in an organic vapor turbine 47 for generating power and producing an expanded vaporized organic working fluid, condensing the expanded organic vaporized working fluid to produce an organic fluid condensate; and supplying the organic fluid condensate to the organic fluid vaporizer. However, **Bronicki** fails to disclose the intermediate fluid being a synthetic, alkylated, aromatic heat transfer fluid.

**The Dow Chemical Company** discloses the synthetic, alkylated, aromatic heat transfer fluid for use in low pressure generating units for the purpose of providing a low freeze point fluid for the outdoor operation that is also non-corrosive to metals used in heat exchangers.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to design the method and the apparatus as taught by **Bronicki** and to provide the intermediate fluid being a synthetic, alkylated, aromatic heat transfer fluid as taught by **The Dow Chemical Company** for the purpose of providing a low freeze point fluid for the outdoor operation that is also non-corrosive to metals used in heat exchangers.

***Response to Arguments***

3. Applicant's arguments with respect to claims 1 and 5 have been considered but are moot in view of the new ground(s) of rejection.

***Prior Art***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

***Communication***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Waks whose telephone number is (703) 308-1676. The examiner can normally be reached on Monday through Thursday 8 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor R Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-1341 for regular communications and (703) 305-1341 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.



JOSEPH WAKS  
PRIMARY PATENT EXAMINER  
TC-2800

JW  
December 18, 2003